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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

October 2, 2001

BY HAND

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, DC 20554

**Re: Comments of Four Rivers Broadcasting, Inc.
MM Docket No. 01-168, RM-10187
Mendocino, California**

Dear Ms. Salas:

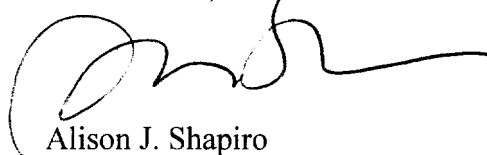
Enclosed herewith, on behalf of Four Rivers Broadcasting, Inc., are an original and four copies of its Reply Comments in the above-referenced rulemaking.

An extra copy of this filing, marked 'Please Stamp and Return This Copy to Fletcher, Heald & Hildreth,' is enclosed. Please date-stamp this copy and return it with the messenger.

Should there be any questions regarding this matter, kindly communicate directly with the undersigned.

Very truly yours,

FLETCHER, HEALD & HILDRETH, P.L.C.



Alison J. Shapiro
Counsel for Four Rivers Broadcasting, Inc.

Enclosure

cc: All Parties on Certificate of Service (w/encl.)

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
Amendment of Section 73.202(b))	
Table of Allotments,)	MM Docket No. 01-168
FM Broadcast Stations.)	RM-10187
(Mendocino, California))	

To: Chief, Allocations Branch

REPLY COMMENTS OF FOUR RIVERS BROADCASTING, INC.

Four Rivers Broadcasting, Inc. ("Four Rivers")¹, by counsel, and pursuant to Sections 1.49 and 1.415 of the Commission's rules, hereby respectfully submits these reply comments in response to Christian Country Network, Inc.'s ("CCN") comments filed August 28, 2001, in the above-captioned proceeding. The Commission's Notice of Proposed Rulemaking (the "Notice")², released July 27, 2001, proposes to amend the FM Table of Allotments to substitute Channel 266A for Channel 224A at Station KMFB(FM), Mendocino, California, and modify the license of Station KMFB(FM) accordingly. Thus, the Notice proposes to amend Section 73.202(b) of the Commission's rules as follows:

	<u>Channel No.</u>	
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Mendocino, California	224A	266A

¹ As stated in its Comments, Four Rivers is now the licensee of KMFB(FM). The license for KMFB(FM) was assigned to Four Rivers by the former licensee and original petitioner in this rulemaking proceeding, George Anderson (File No, BAL-20010508AAU). That application was granted and the assignment was consummated on August 1, 2001. Thus, Four Rivers has assumed the role of petitioner.

² In the Matter of Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Mendocino, California), MM Docket No. 01-168, RM-10187 (released July 27, 2001).

While CCN does not make it clear, it appears that CCN supports Four Rivers' proposal to amend the FM Table of Allotments to substitute Channel 266A for Channel 224A at Station KMFB(FM), Mendocino, California, but requests that the Commission also retain Channel 224A at Mendocino. CCN states that it would apply for the "second FM Channel," if it was allotted to Mendocino.³ In its Notice, the Commission stated that it would not accept expressions of interest in Channel 266A from parties other than Four Rivers (formerly George Anderson).⁴ Therefore, Four Rivers assumes that CCN means that it is interested in applying for Channel 224A at Mendocino once that Channel is vacated in favor of Channel 266A for Station KMFB(FM).

Four Rivers does not object to the retention of Channel 224A at Mendocino, California. However, it notes that Channel 224A is a substandard Channel because it cannot be moved to a site where it would be able to operate as a full power Class A station. Therefore, Four Rivers suggests that, if the Commission substitutes Channel 266A for Channel 224A at Station KMFB(FM) and decides to retain another Channel at Mendocino to accommodate CCN or other interested parties, it should consider allotting Channel 270A rather than Channel 224A. Therefore, Four Rivers proposes to amend the FM Table of Allotments as follows:

<u>Channel No.</u>		
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Mendocino, California	224A	266A, 270A

As demonstrated in the attached engineering exhibit, the reference coordinates for Channel 270A would meet the minimum distance separation requirements with respect to all

³ See Comment Regarding Rulemaking, filed on behalf of the Christian Country Network, August 28, 2001, at page 1, paragraph 2.

⁴ Notice at paragraph 2.

known licenses, construction permits, pending applications, and proposed rulemakings. Furthermore, the reference site for Channel 270A complies with the minimum spacing requirements contained in Section 73.207 of the Commission's rules. It would accommodate a full power Class A facility.

In the event that the substitution of Channel 266A for 224A at Mendocino, California is granted, Four Rivers will promptly file an application for a construction permit to move to the new Channel and, if granted, will timely implement the change.

WHEREFORE, in light of the foregoing, Four Rivers respectfully requests that the Commission AMEND the FM Table of Allotments, and substitute Channel 266A for Channel 224A to Mendocino, California.

Respectfully submitted,

FOUR RIVERS BROADCASTING, INC.

By: 

Howard M. Weiss

Alison J. Shapiro

Its Counsel

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(703)812-0400

October 2, 2001

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GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

REPLY COMMENTS
MM DOCKET #01-168
FOUR RIVERS BROADCASTING, INC.
KMEB RADIO STATION
MENDOCINO, CALIFORNIA
October 2001

TECHNICAL EXHIBIT

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REPLY COMMENTS
MM DOCKET #01-168
FOUR RIVERS BROADCASTING, INC.
KMFB RADIO STATION
MENDOCINO, CALIFORNIA
October 2001

TECHNICAL COMMENTS

1. These technical comments and the attached exhibit were prepared on behalf of Four Rivers Broadcasting, Inc. ("Four Rivers"), licensee of station KMFB, Channel 224A, Mendocino, California. The predecessor of Four Rivers requested the Commission substitute Channel 266A for Channel 224A at Mendocino, California, to enable KMFB to operate as a 6.0 kilowatt Class A facility.¹ Four Rivers has now assumed the role of Petitioner in MM Docket #01-168.

2. During the comment period of Docket #01-168, Christian Country Network, Inc. ("CCN"), requested the retention of Channel 224A at Mendocino, in addition to the proposed allotment of Channel 266A. While Four Rivers does not object to a second channel being allotted to Mendocino, the use of Channel 224A as the second channel is flawed. Channel 224A was allotted to Mendocino before October 29, 1989, as a 3.0 kilowatt channel. In order for the channel to be retained in the community, a new reference site located 15.1 kilometers north of the community would have to be specified in order to provide the requisite clearance to KFGY, Channel 225B, Healdsburg, California. At this distance, there are significant terrain obstacles that would preclude line-of-sight clearance into the community, without the use of an excessively tall tower.

1) KMFB is presently limited to 3.0 kilowatts due to a shortspace with another station, created when the minimum distance separation requirements for Class A stations were changed to allow for 6.0 kilowatt operation.

3. Based on this, Four Rivers has determined there is an alternate channel which would accommodate CCN's request, and still enable Four Rivers to relocate KMFB from Channel 224A to Channel 266A. Channel 270A can be allotted to Mendocino, without the imposition of a site restriction, at North Latitude 39° 18' 27" and West Longitude 123° 47' 54".² As is demonstrated on Exhibit #1, Channel 270A from this location meets the Commission's minimum distance separation requirements to all licensed, applied for or proposed facilities. Further, a maximum Class A facility, operating from the reference site, would provide a 3.16 mV/m (70 dBu) contour over all of Mendocino.

4. Therefore, should the Commission deem CCN's request for a second channel to Mendocino to be acceptable, Four Rivers suggests the following:

Mendocino, California

Present
224A

Proposed
266A, 270A

5. Four Rivers restates its intention to submit an application for Channel 266A once it is substituted for Channel 224A at Mendocino.

6. The foregoing Technical Statement was prepared on behalf of Four Rivers Broadcasting, Inc., by Graham Brock, Inc., its Technical Consultant. All information relating to the FM allocations and facilities was extracted from the CDBS database as updated on September 28, 2001. We assume no liability for errors or omissions in that database which may be adverse to the requests contained herein.

2) The channel can also be allotted at the KMFB site.

REPLY COMMENTS
MM DOCKET #01-168
FOUR RIVERS BROADCASTING, INC.
KMFB RADIO STATION
MENDOCINO, CALIFORNIA
October 2001

EXHIBIT #1

ALLOCATION STUDY FOR CHANNEL 270A AT MENDOCINO, CALIFORNIA
USING CITY CENTER AS REFERENCE

REFERENCE	CLASS A	DISPLAY DATES
39 18 27 N		DATA 09-25-01
123 47 54 W	Current rules spacings	SEARCH 10-01-01
----- CHANNEL 270 -101.9 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD270	270A	Mendocino	CA	0.0	0.0	115.0	-115.00
AD	39 18 27	123 47 54	0.000 kW	0M	0.0	71.4	

950206	272B1	Point Arena	CA	154.2	50.79	48.0	2.79
CP CN	38 53 44	123 32 34	1.200 kW	432M	31.6	29.8	
	Del Mar Trust			BPH-19950206MK			
KCEZ.C	271B1	Los Molinos	CA	56.9	119.46	96.0	23.46
CP DCN	39 53 16	122 37 38	25.000 kW	81M	74.2	59.7	
	Results Radio Licensee, LLC			BMPH-19970801II			
KCEZ.C	271B1	Los Molinos	CA	56.9	119.46	96.0	23.46
CP DCN	39 53 16	122 37 38	25.000 kW	81M	74.2	59.7	
	Results Radio Licensee, LLC			BMPH-19990413IC			
KEKAFM	268C	Eureka	CA	349.0	125.91	95.0	30.91
LIC CN	40 25 12	124 05 00	89.000 kW	625M	78.3	59.0	
	Eureka Broadcasting Co., Inc.			BLH-19831212AA			
KXFX	269B1	Santa Rosa	CA	131.7	132.63	96.0	36.63
LICZCN	38 30 31	122 39 41	2.200 kW	332M	82.4	59.7	
	ECRP Santa Rosa, LLC			BLH-19920818KG			
KCEZ.C	271A	Los Molinos	CA	56.9	119.46	72.0	47.46
CP DCN	39 53 16	122 37 38	6.000 kW	81M	74.2	44.8	
	Results Radio Licensee, LLC			BPH-19980611IA			

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

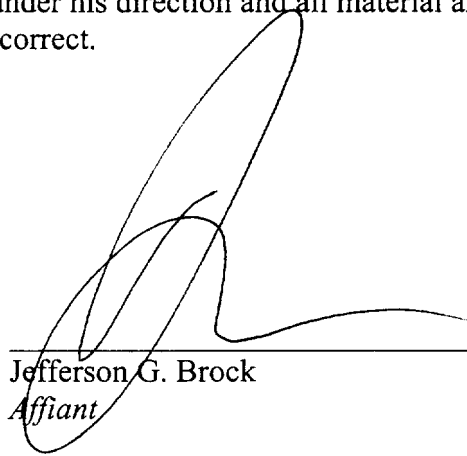
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Four Rivers Broadcasting, Inc., licensee of Radio Station KFMB, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

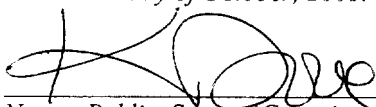
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 1st day of October, 2001.



Jefferson G. Brock
Affiant

*Sworn to and subscribed before me
this the 1st day of October, 2001.*



Notary Public, State of Georgia
My Commission Expires: April 20, 2002

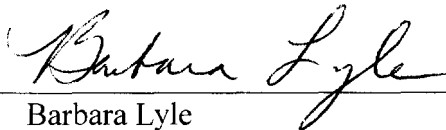
CERTIFICATE OF SERVICE

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that a true copy of the foregoing *Reply Comments of Four Rivers Broadcasting, Inc.* was sent this 2nd day of October 2001, via hand delivery and United States First Class Mail, postage prepaid, on the following:

Mr. John A. Karousos*
Federal Communications Commission
445 12th Street, S.W.
Room 2-A266
Washington, D.C. 20554

Mr. R. Barthen Gorman*
Federal Communications Commission
445 12th Street, S.W.
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Washington, D.C. 20554

Mr. George Smith
Christian Country Network
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Klamath Falls, OR 97601



Barbara Lyle

*By Hand